

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE <div style="text-align: center;">J</div>		PAGE OF PAGES <div style="text-align: center;">1 27</div>	
2. AMENDMENT/MODIFICATION NO. <div style="text-align: center;">0003</div>		3. EFFECTIVE DATE <div style="text-align: center;">08-Feb-2005</div>		4. REQUISITION/PURCHASE REQ. NO. <div style="text-align: center;">W16ROE-4350-7182</div>		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, NEW YORK ATTN:CENAN-CT ROOM 1843 26 FEDERAL PLAZA NEW YORK NY 10278		CODE <div style="text-align: center;">W912DS</div>		7. ADMINISTERED BY (If other than item 6) <div style="text-align: center; font-weight: bold;">See Item 6</div>			
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				<input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NO. W912DS-05-R-0005			
				<input checked="" type="checkbox"/> 9B. DATED (SEE ITEM 11) 05-Jan-2005			
				10A. MOD. OF CONTRACT/ORDER NO.			
				10B. DATED (SEE ITEM 13)			
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The solicitation is amended as follows: 1. To provide changes to the plans and the specifications attached herein; 2. To provide the contractor(s)' submitted questions and the corresponding answers. 3. To extend the proposal due date, from 17 Feb 05, to 03 Mar 05 at 1400 hours local time. NOTE: OFFERORS MUST ACKNOWLEDGE RECEIPT OF THIS AMENDMENT BY THE DATE SPECIFIED IN THE SOLICITATION (OR AS AMENDED) BY ONE OF THE FOLLOWING METHODS: IN THE SPACE PROVIDED ON THE SF1442, BY SEPARATE LETTER, OR BY TELEGRAM, OR BY SIGNING BLOCK 15 BELOW. FAILURE TO ACKNOWLEDGE AMENDMENTS BY THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR BID IN ACCORDANCE WITH THE LATE BID, LATE MODIFICATIONS OF BIDS OR LATE WITHDRAWAL OF BIDS (FAR14.304).1. CONTRACT ID CODEPAGE OF PAGESJ15 Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 08-Feb-2005	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

AMENDMENT 0003 - INFO

The following changes shall be made to the drawings and specifications.

DRAWINGS

The following drawings have been **REVISED** and **REISSUED**:

A870 Circulation Desk DE-07 (Pertains to Bid Option #5 Only)
A871 Reference Desk DE-08 (Pertains to Bid Option #5 Only)
A872 Ref. Desks DE-08A/DE/DE-08B/DE-08C; Circ. & Ref. Desk Canopies (Pertains to Bid Option #5 Only)
L101 Layout & Materials Plan
C102 Demolition Plan
C103 Site Plan
M104 HVAC Fourth Floor Plan Ductwork/Fintube
M107 HVAC Roof Plan
E401 Electrical First Floor Systems Plan
TC300 Telecommunications Cable & Pathway Riser Schematic

SPECIFICATIONS

The following specifications have been **REVISED** as stated:

Section 00110 SUBMISSION REQUIREMENTS AND INSTRUCTIONS

The following text has been added into para. 4.0 Volume II – Price Proposal:

Offerors are also instructed to include their bid bonds and Representations & Certifications identified as Section 00600.

Section 00120 Proposal Evaluation and Contract award

Replace paragraph **1.1 Definitions** in its entirety as follows:

1.1.1. Clarification/Communication is a limited exchange with an Offeror for the sole purpose of eliminating questions arising from the evaluation board's review limited to minor issues regarding an Offeror's submittal and will not result in a request for a revised final offer. The focus/scope of this exchange will be limited to specific issues associated with the Offeror's technical proposal and subcontracting plan only. Such exchange, if required, will be utilized to assist in developing a competitive range.

Section 13720 Electronic Security System

Revise the first sentence of paragraph **1.2 System Description** to read as follows:

"The Contractor shall provide an Electronic Security System (ESS) as described."

Section 15181 Chilled and Condenser Water Piping and Accessories

Revise paragraph heading **2.4 Piping System** as follows:

Delete the words, "**...with the exception that piping 100mm and smaller may be copper tubing.**"

BIDDER'S QUESTIONS AND GOVERNMENT REPLY

Attached, for information only are the questions submitted by various prospective offerors and the respective answers:

1. Section 13720, 1.2 - System Description, Requires installation of government supplied equipment. What specific equipment will be supplied by government?

ANS: None. The specification has been revised as part of this amendment.

2. Symbols - Unable to find the following in the symbols legend: a) FE enclosed in a square and b) EB enclosed in a square.

ANS: a) FE as shown on drawing E-403 is not an electrical item. It is a fire extinguisher that appears on the architectural background layer. b) EB shown on drawing E-401 was intended to be an exit button. It is not now required at door 122 and should be deleted. Riser diagram E-608 is correct as shown. Drawing E-401 has been revised and reissued with this amendment.

3. Drawings Section E450 deals with AV equipment. I am unable to find any reference to the AV system in the specification documents. Is the AV system part of this bid? If so where are the specification related to it?

ANS: AV equipment is not part of this contract. See notes 1 and 2 on drawing E-450 for scope of work regarding raceways and wiring.

4. Bid bond. How much is the bid bond supposed to be?

ANS: Section 00700 of the solicitation has been revised from a reference to full text that identifies the required bonding amounts.

5. How many copies of Volume II are required? This is not stated on Page 11 of the specifications.

ANS: Six (6) copies of VOL II are required.

6. Will the proposal due date be extended?

ANS: The proposal due date has been changed as stated in this amendment.

7. The RFP indicates that the offeror should submit 6 copies of Vol 1 - Technical and 2 copies of Vol 3 - Subcontracting Plan. How many copies of Volume 2 - Price are required? Please confirm the number of copies of Volumes 1 and 3.

ANS: Six (6) copies of VOL I and VOL II are required. Two (2) copies of VOL III are required.

8. Handout from prebid indicates that Price Proposal should include "completed bid schedule only". Should the bid bond also be included in this volume? Are reps and certs required?

ANS: Section 00110 has been revised with instructions to include the items mentioned.

9. We noticed that the drawings that were reissued under amendment 1 were not dated or bubbled to indicate the changes. Do the amendment 2 drawings show a revised date and are the changes bubbled?

ANS: Yes.

10. Will a Line Item be added to the bid form to accommodate the Unit Prices referred to in the drilled Foundation Caissons Spec (Section 02466)?

ANS: No. Sections 3 and 4 on drawing S-502A indicate rock elevations and socket length. The socket length is given in Caisson Schedule in S-502A. In addition rock contours are given in Geotechnical Report which is part of bid documents.

11. On Drawing E-601, 6th Floor – a generator is shown. Nowhere in the specifications or the drawings is the size of the generator indicated. Please identify the size of the generator.

ANS: The rating of the generator is shown on drawing E-601 as 400KW. The physical dimensions of the generator depend on the manufacturer selected.

12. On Drawing E-602 – please identify the Feeder Sizes on the Distribution Power One Line.

ANS: Feeder sizes on single line diagram E-601 are identified by reference to the feeder schedule on drawing E-922. This information is not duplicated on E-602. For example, on drawing E-601 the feeder to Chiller #1 is identified as #34. On the E-922 feeder schedule, #34 is identified as 3#500 kcmil and 1#2 ground in a 78mm conduit. Feeders emanating from power distribution panels PDP-EWH, EDP, and SDP are shown on drawing E-901. Feeders on the secondary side of distribution transformers are shown on drawing E-922. All feeders are sized on the drawings.

13. When we received the Amendment Drawings along with the original set from the printer, I reviewed and compared both sets of electrical drawings and could find no difference between them. There was no indication that these drawings were amended in any way, and also didn't see anything in the Title Block that would indicate that these were addendum drawings. Can you tell me what changes were supposedly made to the originals?

ANS: Drawings from Amendment 1 were revised and reissued with Amendment 2.

14. Due to the fact that this missing information is vital to submitting a complete price on this project, and the fact that the bid date is quickly approaching, Is there any chance that the bid date will be extended?

ANS: The proposal due date has been changed as stated in this amendment.

15. Section 02315 Excavation, Filling and Backfilling for Buildings, Page 6, 3.10 Excavated Materials states that Satisfactory, Unsatisfactory and Coarse Rock from excavations shall be disposed of in designated areas on Government-controlled land. a) Where are the designated areas? b) Will there be clearing and grubbing required in these areas? If so, what type and how much? c) How will the material be deposited? Will spreading and compaction be required or will the material be stockpiled? d) Will there be a single area or multiple areas? e) Will there be accessibility for tractor-trailers? f) Will Maintenance and Protection of traffic be required at the designated areas? (eg Flagmen) g) Will any type of restorations be required at the designated areas after spoil placement?

ANS: All construction debris and additional excavation material will be the Contractor's responsibility and dumped off site. Request for a designated area on Post can be made to the Contracting Officer subsequent to award. The Contractor shall assume a site is available within 10 miles from the USMA for bidding purposes.

16. Drawing A607 calls for waterproofing under the tile floor at rooms 148 and 149. Is waterproofing required under tile floors in all bathrooms or just these 2?

ANS: Waterproofing is required only at this toilet room (Rm 148).

17. For the room mock-ups, is there a particular time requirement for installing the mock-ups or just prior to completion of other similar areas?

ANS: Scheduling of mock-ups is addressed in spec section 02000, paragraph 1.4.1. Mock-ups should be completed sufficiently in advance of like construction to allow for review by the Contracting Officer and revision (if necessary) by the GC.

18. Please clarify the requirements for the pre-fabricated recording booth Specification 13034. The specification 2.2.1 notes that the basis for design is the QUAD VIII as mfg. by Industrial Acoustics. The thickness of the QUAD VIII walls is +/- 204 mm, yet section 2.2.2 requires panel thickness of 100 mm.

ANS: Panel thickness of 100mm (or 102mm) specified in spec section 13034 is correct. IAC Quad VIII has 4" (102mm) panels and is therefore acceptable. Note: Two additional manufacturers are listed as alternates for Basis of Design for the booth.

19. Please provide the manufacturer, size and code of the concrete pavers to be matched, as shown on drawing L401. Specification 02775 does not identify such. Also please provide size and color band if different (detail #6 – Main Entrance).

ANS: New concrete pavers to match existing pavers at Jefferson Walk. GC to submit new paver for approval of match. "Accent band" is the same material and color as the rest of the pavers.

20. Regarding the CCTV riser diagram shown on drawing E-606, which coax cable should be used RG 60 or RG 59? Should coax be used for all devices shown? And can riser cable be combined into larger conduit or must each coax cable run in it's own conduit?

ANS: RG6U should be used for CCTV equipment and building wire for 120 volt, 24 volt, and access control interface. The riser cable should be combined into large conduit.

21. Please define the responsibilities of the contractor for access into the steam tunnel at Bldg 601, (DW6. M 201, M 203, M 602). Will other equipment require relocation? What is the size & weight of tunnel trench covers? Will existing electric conduit require relocation & if so, what will this effect?

ANS: No other equipment is required to be relocated. There are no trench tunnel covers from the exterior. The tunnel is accessible via an access floor panel in the adjacent building #601. It is not anticipated that existing electrical conduits in the steam tunnel will need to be relocated.

22. Please provide the missing information for the mounting anchors for detail 3 on drawing A872.

ANS: Drawing A872 has been revised and reissued with this amendment

23. Please provide Map or plan showing routing of conduit from Jefferson Hall to gate, for wall phone (dwg. TC 100 incl. Note # 7).

ANS: Route in the field in accordance with drawing note 7 on TC-100

24. a) If the contractor is to relocate and re-install statuary, as shown on dwg. C-102, what are the requirements and/ or details for re-installation. b) Also please provide the details for the re-installation of the iron posts and chain (dwg C-102 & C-103).

ANS: a) The statuary will be crated and relocated to a storage area on post. It will not be relocated to south post as indicated on dwg C102. In addition, the chain link fence will be reinstalled with the iron posts set in a concrete sleeve formed in the ground adjacent to the new walkway. b) Dwgs C102 and C103 have been revised and reissued with this amendment. Note: Existing post-and-chain fence is lightweight. Re-installation can be accomplished by hand and will not require concrete footings.

25. Please provide dwg. 6 TC100AR as referred to as dwg TC300 at existing library UTP backbone #2, or please provide 1st cellar plan of existing library showing conduit routing.

ANS: Ignore reference to existing library. TC-300 has been revised and reissued with this amendment.

26. Drawing TC300, pathway, note #2 states that all conduits are to be 103mm unless otherwise noted. Note 1 (lower part of drawing) states that conduit with UTP cable to be filled to 40% capacity. Please confirm that pathway notes refer only to #1 backbone pathway schematic and please provide sizes of conduit for UTP schematic and fiber optic schematic. (Also is there a tele/data riser diagram?).

ANS: The intent is that riser diagram 1. shows the conduit pathways for the cabling shown in riser diagrams 2. and 3. 40% fill is the maximum fill for UTP. If the installed cable will fill the conduit to greater than 40%, run another 103mm conduit so that the fill does not exceed 40%. There is no other riser diagram.

27. For chilled water supply and return piping and hot water supply and return piping, 63 mm (2-1/2) and above: Can we use grooved fittings, Victaulic or does the piping have to be welded, brazed and soldered?

ANS: Chilled water and condenser water piping are covered by Section 15181. Copper piping is not acceptable. See Specification Amendment memo for Section 15181 – Para. 2.4. Hot water piping is covered by Section 15556. Item 2.2.1a of which states that, "copper tubing shall be limited to fin-tube radiation sub-branch horizontal distribution system connecting to fin-tube elements including runouts and between elements. "Victaulic" is not specified and is not acceptable.

28. For chilled water supply and return piping and hot water supply and return piping, 51 mm (2) and below: Can we use the Rigid Propress System or does the piping have to be soldered?

ANS: See answer to question 28.

29. On drawing M-100, why is this drawing in USA Trade Size and the rest of the drawings are in Metric Size?

ANS: Drawing M-100 was revised and reissued as part of Amendment 2.

30. On oil pre-fabricated containment piping, do you have a make and model, contact name and phone number for us to call?

ANS: Perma-Pipe and Triton are possible manufacturers.

31. On Bidders Question and Government Reply the question asked is. Are Johnson Controllers compatible with the base system, Tridium? The answer is, no. Johnson Controls attended the pre-bid walk thru and stated that they are compatible. Should we entertain Johnson Control's price at all, or should we only speak with Honeywell? Also, who are the other approved equals that we can contact?

ANS: The General Contractor is allowed to use any control system that conforms to the contract specifications and following amendments.

32. On M-509, the automatic air vent detail, there are 9 mm air vent drain pipes. May we tie multiple vent pipes together and run to the nearest floor or hub drain or do they all have to be individually run to the nearest floor or hub drain?

ANS: Tying together the discharge of vent lines is not acceptable. The discharge must be individually run.

33. Is there any protection in the contract/specs for raw material price escalation, i.e. copper and steel? (This may be in your general specs and not in the mechanical section of the specs that we have.)

ANS: No special protection for price escalation.

34. Section 15951-1.2.9 states to wire between the JACE controllers of the new Building and the existing Building Maintenance System (BMS) located in the Power Plant in Building 604. Final wiring between the HVAC control panels and the BMS shall be by Williams Electric a) Is the controls contractor to provide Williams Electric with the Tridium files for this project for final integration to the existing Web Supervisor? b) Who is responsible to provide the Central Workstation/Tester, section 2.13.8 and the Portable Workstation/Tester, section 2.13.7?

ANS: a) Yes, the controls contractor must supply the Tridium files. b) The portable tester is to be supplied by the controls contractor

35. The point list on drawing M802 calls for both an analog and digital input for the filter differential pressure but the airflow schematic only indicates one device. Which one is required?

ANS: Only a digital input is required for filter status.

36. The point list on drawing M803 calls for a VFD output for the cooling tower fans but the sequence of operations indicates start/stop and not VFD control. Please advise.

ANS: Cooling towers are connected to VFD control.

37. Can you further clarify the connection requirements between DDC controllers and panel?

ANS: a) The Contractor will be responsible for installing all controllers and connections back the main building DDC panel in accordance with the plans and specifications. b) All controllers will be configured and accepted/tested by the Government prior to the final connection to the base Tridium system. c) The Government will make the final connection to the base Tridium system and will be responsible for coordination with Williams.

All controllers installed must be able to be configured through the Tridium system utilizing Work Place Pro software. The Government before final turn over will test the system from the main building DDC panel.

SECTION 00010 - SOLICITATION CONTRACT FORM

The required response date/time has changed from 17-Feb-2005 02:00 PM to 03-Mar-2005 02:00 PM.

SECTION 00100 - BIDDING SCHEDULE/INSTRUCTIONS TO BIDDERS

The following have been modified:

SECTION 00110

SUBMISSION REQUIREMENTS AND INSTRUCTIONS

1.0 NOTICE TO OFFERORS

1.1 Acquisition

This is an unrestricted, best value, lowest price technically acceptable solicitation with price evaluation preference for HUBZONE small business concerns in accordance with FAR clause 52.219-4, for the construction of the Jefferson Hall Library and Learning Center at the USMA, New York. The new library and learning center is approximately 148,725 square feet (sf). The successful Offeror must construct a complete and useable facility as described in the Request for Proposal (RFP) documents. Funds are not presently available for this contract. The Government's obligation under this contract is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer for this contract and until the Contractor receives notice of such availability, to be confirmed in writing by the Contracting Officer.

1.2 Disclosure of the Magnitude of Construction Project.

The magnitude of the construction project falls between \$25,000,000 and \$100,000,000.

1.3 Who May Submit

Firms formally organized as construction contractors or entities that have associated specifically for this project; or any other interested party may submit a proposal.

1.4 Professional Registration

Any design effort required during construction shall be completed by a professional architect or engineer registered in the appropriate technical disciplines for the required design activity. All design activities must be under the direct supervision of appropriately licensed professionals in accordance with FAR Contract Clause 52.236-25.

1.5 Page Limit and Size of Printed Materials

In order to effectively and equitably evaluate all proposals, the Contracting Officer must receive information sufficiently detailed to clearly address submission requirements as outlined below. The written portion of the proposal (Volume I - Technical Proposal), however, shall not exceed 25 pages. A page printed on two sides will be counted as two pages

2.0 PROPOSAL SUBMISSION REQUIREMENTS AND INSTRUCTIONS

2.1 Proposal Requirements and Submission

The proposals sought by this solicitation shall contain three separate volumes:

Volume I - Technical Proposal
Volume II - Price Proposal
Volume III - Subcontracting Plan

Do not submit any material not required by this solicitation (such as company brochures). Materials submitted that are not required by this solicitation will be disregarded. Offerors will meet all technical portions (specifications and drawings) of the RFP. Any exceptions noted by the Offerors shall be identified prior to proposal submission as a request for information.

2.2 Where to Submit

Offerors shall submit their proposal packages to the Corps of Engineers (USACE) at the address shown in Block 8 of Standard Form 1442.

2.3 Submission Deadline

The USACE must receive proposals not later than the time and date specified in Block 13 of Standard Form 1442.

2.4 Incurring Costs

The Government is not liable for any costs incurred by the Offeror submitting an offer in response to this solicitation.

2.5 Format Requirements

All proposals shall contain the volume number and the name, address and telephone number of the Prime and Subcontractors, Joint Venture, or other entity identified on the cover. The original proposal must be clearly marked as "ORIGINAL" and the original signatures must be in blue ink. Copies of the proposals must also be clearly marked as "COPY x of y (i.e. COPY 1 of 6)". Proposal clarity and material organization in each volume are mandatory. No material shall be incorporated by reference.

Each volume will be submitted separately bound. The proposal must be complete and contain the Offerors most favorable terms. The proposal shall address and contain the information listed below. The information will be used by the Source Selection Evaluation Board to evaluate each proposal. Offerors are advised that conciseness and relevance of the proposal is important and unrelated information will not be evaluated. Proposals that provide only superficial coverage of the information required as stated below may not receive additional consideration and may be excluded from the competitive range. Additionally, should the proposal include any standard company terms and conditions that conflict with the terms and conditions of the solicitation, the proposal may be determined to be "unacceptable" and thus ineligible for award.

3.0 VOLUME I: TECHNICAL PROPOSAL

The technical proposal shall be submitted in a binder labeled "Volume I - Technical Proposal". The sections shall parallel the submission requirements identified below. Provide six copies of the technical proposal.

3.1 Volume I - Introduction

The introduction shall include the following information:

- a. Name and address of organization.
- b. Location of the principal office.
- c. The type of organization (corporation, partnership, joint venture).
- d. The number of years the Offeror's organization has been in business.
- e. The number of years the Offeror's organization has been in business under its present business name.
- f. Other or former names the Offeror's organization operated under, and during which calendar years the organization operated under these other or former names.

3.1.1 If a corporation, provide the date of incorporation, state of incorporation, names and addresses of principal offices of the corporations, and state if the corporation is publicly held.

3.1.2 If a partnership, provide the date of organization, the type of partnership (general or limited), and names and addresses of all partners.

3.1.3 If a joint venture, provide the information contained above, for each element of the joint venture as may be appropriate.

The information is to be provided for information only and will not be evaluated.

3.2 Volume I - Factor I: Past Relevant Experience

This Factor will contain the Offeror's past experience information. The Offeror shall submit information to demonstrate they have completed a minimum of three relevant projects within the last seven years at a minimum construction value of \$30,000,000. The Offeror may submit no more than ten projects to demonstrate their depth of project experience. Projects of a relevant nature may include the following, similar type of construction, construction in a constrained site, or standard vertical construction. The degree of relevancy will be used to evaluate the offeror's proposal. Information shall be provided on the Relevant Project Information Sheet, which is attached.

3.3 Volume I - Factor II: Past Performance

This Factor will contain the Offeror's past performance information. The Government believes that an offeror's past performance and the degree to which an Offeror satisfied their customers in the past is a good predictor of future performance. A Past Performance Customer Questionnaire will be required for all projects submitted on Factor 1. The offeror shall request that a Past Performance Customer Questionnaire be filled out and returned directly to the USACE by the proposal submission deadline. A copy of the front page should be included in the offeror's technical proposal. A copy of the Past Performance Customer Questionnaire is attached. The Government will evaluate the level of performance based on the data submitted above and may contact clients to validate. The Government reserves the right to verify previous performance. The offeror shall provide information and an explanation for any terminated construction projects.

4.0 VOLUME II – PRICE PROPOSAL

Pricing Schedule: The pricing schedule identified as Section 00010 will be completed and included in this volume. This will not be scored, but will be reviewed for reasonableness and responsiveness. The total price (base bid plus options) will be reviewed and evaluated. Offerors are also instructed to include their bid bonds and Representations & Certifications identified as Section 00600.

5.0 VOLUME III – Factor III - SUBCONTRACTING PLAN

The subcontracting plan shall be submitted in a separate binder labeled "Volume III - Subcontracting Plan". Provide two copies of bound written material. Large business concerns must submit as part of their proposal their subcontracting projections for this project in accordance with FAR Contract Clauses 52.219-8 and 52.219-9. To be acceptable, plans must adequately address the six required statutory elements and provide sufficient information to enable the Contracting Officer to answer affirmatively questions A through H of Appendix CC, Part 2, AFARS 19.705.

The six statutory elements are:

The extent to which firms are specifically identified in proposals.

The extent of commitment to use such firms.

The complexity of and variety of work small firms are to perform.

The realism of the proposal.

Past performance of Large Business Firms complying with formal subcontracting plan requirement and all firms, large or small, in complying with the contract clauses for utilization of small, small business disadvantaged, and women-owned small business firms.

The extent of participation by such firms with respect to total value of the contract

Percentage goals apply to the total amount being subcontracted. The current goals for this project are 62% to Small Business, 10% to Small and Disadvantaged Business, 10% to Woman Owned Small Business, 3.0% to HUBZone Business, and 3.0% to Service Disabled Veterans. The Offeror is put on notice that the final approved plan after award shall not contain goals less than the plan submitted as part of their proposal. All proposed SDB concerns must be certified by the Small Business Administration and listed in the online database PRO-Net. SDB concerns may register in PRO-Net at <http://pronet.sba.gov>.

a. Subcontracting Plan. (Applies to Large Businesses only.) All large businesses shall submit a subcontracting plan along with their technical and price/cost proposals. The plan should be prepared in accordance with FAR 52.219-9. Inasmuch as past performance in meeting the subcontracting plan requirements will be evaluated, Large Businesses Offerors shall be required to submit copies of their SF 294 and SF 295 for the past three years along with their proposed Subcontracting Plans. Failure to submit an acceptable subcontracting plan may make the Offeror ineligible for award of the contract. The submission of the subcontracting plan is in no way advantageous to large businesses over any small business in the evaluation process.

b. Adherence to Subcontracting Plans. Past performance in following subcontracting plans will be evaluated.

PROJECT EXPERIENCE INFORMATION SHEET (FORMAT)

Project Name and Location:

Description of Project (SF, size, type of construction, etc.):

Contract Type (i.e. Firm Fixed Price, Cost Plus Fixed Fee, Design Build etc.):

Description of the Project Relevance:

Offeror's Role and Area of Responsibility (i.e. prime, joint venture, subcontractor, etc.):

Project Amount:

Project Completion Date:

Client/Agency:

Client/Agency Point of Contact, Phone Number and Address (if Government, give contract number and name of Contracting Officer):

7.0 PAST PERFORMANCE CUSTOMER QUESTIONNAIRE

The Offeror/Contractor listed is being considered in a Source Selection by the US Army Corps of Engineers, New York District. This is a request for past performance information on a project the Offeror has identified as being relevant to this solicitation. This information will be used in the evaluation of the Offeror's performance of that project. The following information, once submitted, will be treated as confidential and will not be released to anyone other than the contractor being evaluated. This information will only be used to evaluate this Offeror for this solicitation. Please complete the following questionnaire utilizing the following guidance:

- a. Handwritten responses are sufficient.
- b. Circle a rating as listed below and provide a brief supporting narrative for your area of administrative responsibility. In the event of any unsatisfactory performance, please describe the cause and corrective actions, and any other pertinent information relative to the contractor's inadequate performance.
- c. The assessment questions contained in this questionnaire shall be rated pursuant to the following definitions:

Exceptional (E) - Indicates the contractor's performance exceeded the contractual requirements.

Very Good (V) - Indicates the contractor took every action possible to solve all problems in order to minimize impacts and/or changes to contractual requirements.

Satisfactory (S) - Indicates there were no major problems that were not quickly and effectively solved by the contractor, and the contractor was meeting all contractual requirements.

Marginal (M) - Indicates the area of evaluation contained major problems that were not effectively solved by the contractor. The contractor met basic contract requirements with assistance from the customer. Please include any written documentation supporting this rating.

Unsatisfactory (U) - Indicates a serious problem existed on the part of the contractor that precluded the contractor from meeting the contractual requirement(s). Please include any written documentation supporting this rating.

N/A - Not applicable or observed.

- d. Please return the completed forms to the US Army Corps of Engineers, New York District at the following mailing address or via fax at (212) 264-3013:

US Army Corps of Engineers, New York District
Room 1843 Attn: New York District Contracting Division (Attn: Ed Lew)
Jacob K. Javits Federal Building
26 Federal Plaza, 18th floor
New York, NY 10278-0090

PAST PERFORMANCE CUSTOMER QUESTIONNAIRE

PROJECT: THOMAS JEFFERSON HALL, US MILITARY ACADEMY WEST POINT, NY

"The US Army Corps of Engineers, New York District, is interested in your assessment of the named company's "past performance". Past performance refers to the company's record of conforming to contract requirements and to standards of good workmanship; the company's record for forecasting and controlling costs; the company's adherence to contract schedules including administrative aspects of performance; the company's history of reasonable and cooperative behavior and commitment to customer satisfaction; and the company's general business-like concern for the interest of the customer. These questions relate to work performed by:

Contractor under review: (Insert Company's Name)

Name and Location of Project:

Respondent Identification:

Name
Date
Company/Organization
Position/Job Title
Telephone Number

Questionnaire:

1. What type of work did the contractor perform?

2. How would you rate the contractor's overall performance?

E V S M U N/A

3. How would you rate the contractor's overall corporate management, integrity, reasonableness, and cooperative conduct?

E V S M U N/A

4. How would you rate the contractor's quality control program and performance on delivery of quality work?

E V S M U N/A

5. How effective was the contractor in meeting completion requirements including punchlist items and warranty work?

E V S M U N/A

6. How efficient and timely were the services performed (compliance with the schedules of completion)?

E V S M U N/A

7. Please circle the statement that best describes your feelings with regard to the contractor.

- a. They were an outstanding contractor in every respect. Problems were solved in a spirit of teamwork. Quality work, timely actions, and complete documentation were routinely achieved. We would pay a premium price to contract with them again.
 - b. They were an above average contractor to whom we would not hesitate to award to again. Problems encountered were minor and solutions were found with little difficulty.
 - c. They were an average contractor meeting the minimum requirements of the contract. Performance deficiencies improved when identified by the client/agency.
 - d. They were a below average contractor. Numerous problems developed that were a result of their lack of cooperation and failure to perform as required. An aggressive inspection program was required to ensure compliance.
 - e. They were a poor contractor who we would not want again under any circumstances. We would have been within our rights to terminate them for default.
 - f. None of the above. Please provide your statement.
-
-
-
-

8. Was the contractor given any of the following (or anything of a similar nature)?

Cure Notice: Yes No

Show Cause Notice: Yes No

Termination for Default: Yes No

9. If there are any additional comments, information, etc. that you would like to add to the survey that does not fall into any of the above categories, please indicate below:

10. If rating was less than satisfactory was the Contractor provided an opportunity to explain? Yes No

Return to:

US Army Corps of Engineers, New York District
Attn: Contracting Division (Ed Lew)
Jacob K. Javits Federal Building
26 Federal Plaza, Room 1843
New York, NY 10278-0090

Phone: 212-264-0238

Fax: 212-264-3013

Number of Years: With this firm _____ With other firms _____

Qualifications Relevant to this RFP (i.e. education, professional registration, training, certifications, etc.):

9.0 SMALL BUSINESS SUBCONTRACTING PLAN (MODEL OUTLINE *)

SMALL BUSINESS SUBCONTRACTING PLAN

Identification Data

Contractor:

Address:

Solicitation & Contract Number: _____

Item/Service: _____

Total Amount or Contract (Including options) \$ _____

Period of Contract Performance (DAY, MO. & YR.) _____

* Federal Acquisition Regulation (FAR), paragraph 19.708(b)(1)) prescribes the use of the clause at FAR 52.219-9 entitled "Small Business Subcontracting Plan." The following is a suggested model for use when formulating such subcontracting plan. While this model plan has been designed to be consistent with FAR 52.219-9, other formats of a subcontracting plan may be acceptable. However, failure to include the essential information as exemplified in this model may be cause for either a delay in acceptance or the rejection of a bid or offer where the clause is applicable. Further, the use of this model is not intended to waive other requirements that may be applicable under FAR 52.219-9. "SUBCONTRACT," as used in this clause, means any agreement (other than one involving an employer-employee relationship) entered into

by a federal government prime contractor or subcontractor calling for supplies or services required for performance of the contract or subcontract.

1. TYPE OF PLAN (check one)

Individual Plan (All elements developed specifically for this contract and applicable for the full term of this contract, including any option periods.)

Master Plan (Goals developed for this contract; all other elements standard; must be renewed every year.)

Commercial Products Plan (Contractor sells large quantities of off-the-shelf commodities to many Government agencies. Plans/goals negotiated by a lead agency on a company-wide basis rather than for individual contracts. Plan effective only during the year for which it is approved. The contractor must provide a copy of the lead agency approval.)
(version 1/2002)

2. GOALS

State separate dollar and percentage goals, expressed in terms of percentages of total subcontracting dollars, for the use of small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns as subcontractors. The offeror shall include all subcontracts that contribute to contract performance, and may include a proportionate share of products and services that are normally allocated as indirect costs in the following format. **(For a contract with options, provide a separate statement for the basic contract and individual statements for each option year.)**

Total estimated dollar value and percent of planned subcontracting with small businesses (include veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business concerns): (% of "c")

\$ _____ and _____ %

Total estimated dollar value and percent of planned subcontracting with large businesses (all business concerns classified as "other than small"): (% of "c")

\$ _____ and _____ %

Total estimated dollar value of all planned subcontracting for an individual contract plan; or the offerors total projected sales, expressed in dollars, and the total value of projected subcontracts to support the sales for a commercial plan; i.e., the sum of a and b above: \$ (100 Percent)

\$ _____ and _____ %

Total estimated dollar value and percent of planned subcontracting with veteran-owned small businesses: (% of "c")

\$ _____ and _____ %

Total estimated dollar value and percent of planned subcontracting with service-disabled veteran-owned small businesses: (% of "c")

\$ _____ and _____ %

Total estimated dollar value and percent of planned subcontracting with HUBZone small businesses: (% of "c")

\$ _____ and _____ %

Total estimated dollar value and percent of planned subcontracting with small disadvantaged businesses: (% of "c")

\$ _____ and _____ %

Total estimated dollar value and percent of planned subcontracting with women-owned small businesses: (% of "c")

\$ _____ and _____ %

3. DESCRIPTION OF PRODUCTS AND/OR SERVICES TO BE SUBCONTRACTED:

Provide a description of all the products and/or services to be subcontracted under this contract, and indicate the types of businesses supplying them: i.e., OTHER THAN SMALL BUSINESS (OTHER, e.g., LARGE BUSINESS), SMALL BUSINESS (SB), VETERAN-OWNED SMALL BUSINESS (VOSB), SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS (SDVOSB), HUBZONE SMALL BUSINESS, SMALL DISADVANTAGED BUSINESS (SDB), AND WOMEN-OWNED SMALL BUSINESS (WOSB):

(Check all that apply)

Subcontracted Other SB VOSB SDVOSB HUBZone SDB WOSB
Product/Service

(Attach additional sheets if necessary.)

4. A description of the method used to develop the subcontracting GOALS:

5. A description of the method used to identify potential **SOURCES** for solicitation purposes (e.g., whether you used existing company source lists, the Procurement Marketing and Access Network (PRO-Net) of the Small Business Administration (SBA), veterans service organizations, the National Minority Purchasing Council Vendor Information Service, the Research and Information Division of the Minority Business Development Agency in the Department of Commerce, or small, HUBZone small, small disadvantaged, and women-owned small business trade associations. A firm may rely on the information contained in PRO-Net (at <http://pro-net.sba.gov/>) as an accurate representation of a concern's size and ownership characteristics for the purposes of maintaining a small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, and women-owned small business source list. Use of PRO-Net as its source list does not relieve a firm of its responsibilities (e.g., outreach, assistance, counseling, publicizing subcontracting opportunities) in this clause.

_____(Attach additional sheets if necessary.)

6. Indirect costs have _____ have not _____ been included in the dollar and percentage subcontracting goals stated above. (Check one.)

If indirect costs have been included, explain the method used to determine the proportionate share of such costs to be allocated as subcontracts to small, veteran-owned small business, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business concerns.

7. PROGRAM ADMINISTRATOR

The name, title, position within the corporate structure, and duties and responsibilities of the employee who will administer the contractor's subcontracting program.

Name:

Title:

ADDRESS:

Telephone:

Facsimile:

Email:

Duties: Has general overall responsibility for the contractor's subcontracting program, i.e., developing, preparing, and executing individual subcontracting plans and monitoring performance relative to the requirements of this particular plan. These duties include, but are not limited to, the following activities: Developing and promoting company-wide policy initiatives that demonstrate the company's support for awarding contracts and subcontracts to small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business; and assure that small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small businesses are included on the source lists for solicitations for products and services they are capable of providing;

Developing and maintaining bidder's lists of small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business concerns from all possible sources;

Ensuring periodic rotation of potential subcontractors on bidders lists;

Ensuring that procurement "packages" are designed to permit the maximum possible participation of small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small businesses;

Make arrangements for the utilization of various sources for the identification of small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small businesses such as the SBA's PRO-Net, the National Minority Purchasing Council Vendor Information Service, the Office of Minority Business Data Center in the Department of Commerce, the facilities of local small business, minority associations, and contact with federal agencies' Small Business Specialists;

Overseeing the establishment and maintenance of contract and subcontract award records;

Attending or arranging for the attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, Procurement Conferences, etc.;

Ensure that small, veteran owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business concerns are made aware of subcontracting opportunities and how to prepare responsive bids to the company;

Conducting or arranging for the conduct of training for purchasing personnel regarding the intent and impact of Section 8(d) of the Small Business Act on purchasing procedures;

Monitoring the company's performance and making any adjustments necessary to achieve the subcontract plan goals;
 Preparing, and submitting timely, required subcontract reports;
 Coordinating the company's activities during the conduct of compliance reviews by federal agencies;
 Providing technical assistance; e.g., engineering, quality control, and managerial assistance to small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small businesses.
 Other duties:

8. EQUITABLE OPPORTUNITY

Describe efforts the offeror will make to ensure that small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business concerns will have an equitable opportunity to compete for subcontracts. These efforts include, but are not limited to, the following activities:

a. Outreach efforts to obtain sources:

Contacting minority, women's, and small business trade associations;
 Contacting business development organizations;
 Attending small, veteran's, minority, and women's business procurement conferences and trade fairs;
 Requesting sources from the Small Business Administration's (SBA) PRO-Net;
 Utilizing newspaper and magazine ads to encourage new sources.

b. Internal efforts to guide and encourage purchasing personnel:

Presenting workshops, seminars, and training programs;
 Establishing, maintaining, and using small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business source lists, guides, and other data for soliciting subcontracts; and

Monitoring activities to evaluate compliance with the subcontracting plan.

c. Additional efforts:

9. FLOW-DOWN CLAUSE

The contractor agrees to include the provisions under FAR 52.219-8, "Utilization of Small Business Concerns," in all subcontracts that offer further subcontracting opportunities. All subcontractors, except small business concerns, that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction) must adopt and comply with a plan similar to the plan required by FAR 52.219-9, "Small Business Subcontracting Plan."

10. REPORTING AND COOPERATION

The contractor gives assurance of: (1) cooperation in any studies or surveys that may be required; (2) submission of periodic reports which show compliance with the subcontracting plan; (3) submission of Standard Form (SF) 294, "Subcontracting Report for Individual Contract," and SF-295, "Summary Subcontract Report," in accordance with the instructions on the forms; and (4) ensuring that large business subcontractors with subcontracting plans agree to submit Standard Forms 294 and 295.

Reporting Period Report Due Date

Oct 1 - March 31 SF-294 4/30

Apr 1 - Sept 30 SF-294 10/30

Oct 1 - Sept 30 SF-295 10/30

Addresses

SF-294 to be submitted to the cognizant Small Business Representative for the New York District (Kathleen Hirschy, 26 Federal Plaza, NY, NY 10278 Room 21-130) or as otherwise specified in the contract; and

SF-295 to be submitted as above to the cognizant SBA Commercial Market Representative.

11. RECORDKEEPING

The following is a recitation of the type of records the contractor will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. These records will include, but not be limited to, the following:

If the prime contractor is not using PRO-Net as its source for small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business concerns, list the names of guides and other data identifying such vendors;

Organizations contacted in an attempt to locate small, veteran-owned small, service-disabled veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business sources;

On a contract-by-contract basis, records on each subcontract solicitation resulting in an award of more than \$100,000 indicating: (1) whether small business concerns were solicited, and if not, why not; (2) whether veteran-owned small business concerns were solicited, and if not, why not; (3) whether service-disabled veteran-owned small business concerns were solicited, and if not, why not; (4) whether HUBZone small business concerns were solicited, and if not, why not; (5) whether small disadvantaged business concerns were solicited, and if not, why not; (6) whether women-owned small business concerns were solicited, and if not, why not; and (7) if applicable, the reason that the award was not made to a small business concern;

Records to support other outreach efforts, e. g., trade associations, business development organizations; conferences and trade fairs to locate small, HUBZone small, small disadvantaged, and women-owned small business sources; and veterans service organizations;

Records to support internal guidance and encouragement provided to buyers through (1) workshops, seminars, training programs, incentive awards, and (2) monitoring of activities to evaluate compliance; and

On a contract-by-contract basis, records to support subcontract award data including the name, address, and business size of each subcontractor. (This item is not required on a contract-by-contract basis for company or division-wide commercial plans.)

Additional records:

This subcontracting plan was submitted by:

Signature: _____

Typed Name: _____

Title: _____

Date Prepared: _____

Phone Number: _____

Facsimile Number: _____

Email Address: _____

New York District Deputy for Small Business Recommendation:

_____/Date_____

Kathleen Hirschy

Phone 212 264 0147

Email: Kathleen.hirschy@usace.army.mil

Small Business Administration Approval:

Agency: U.S. Small Business Administration

Signature: _____

Typed Name: Debra B. Libow

Title: SBA Procurement Center Representative

Date Approved: _____

Phone Number: 212-264-4395

Facsimile Number: 212-264-3013

Contracting Officer Approval: _____/Date _____

SECTION 00700 - CONTRACT CLAUSES

The following have been modified:

52.228-1 BID GUARANTEE (SEP 1996)

(a) Failure to furnish a bid guarantee in the proper form and amount, by the time set for opening of bids, may be cause for rejection of the bid.

(b) The bidder shall furnish a bid guarantee in the form of a firm commitment, e.g., bid bond supported by good and sufficient surety or sureties acceptable to the Government, postal money order, certified check, cashier's check, irrevocable letter of credit, or, under Treasury Department regulations, certain bonds or notes of the United States. The Contracting Officer will return bid guarantees, other than bid bonds, (1) to unsuccessful bidders as soon as practicable after the opening of bids, and (2) to the successful bidder upon execution of contractual documents and bonds (including any necessary coinsurance or reinsurance agreements), as required by the bid as accepted.-

(c) The amount of the bid guarantee shall be 20% percent of the bid price or \$3,000,000.00, whichever is less.-

(d) If the successful bidder, upon acceptance of its bid by the Government within the period specified for acceptance, fails to execute all contractual documents or furnish executed bond(s) within 10 days after receipt of the forms by the bidder, the Contracting Officer may terminate the contract for default.-

(e) In the event the contract is terminated for default, the bidder is liable for any cost of acquiring the work that exceeds the amount of its bid, and the bid guarantee is available to offset the difference.

(End of clause)

(End of Summary of Changes)